PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference ACUP040735CN	FOR FURTHER ACTION	See item 4 below	
International application No. PCT/CN2004/001174	International filing date (day/month/year) 15 October 2004 (15.10.2004)	Priority date (day/month/year) 17 October 2003 (17.10.2003)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant ZHOU, Xing			

International Searching Authority under Rule 44 bis.1(a). 2. This REPORT consists of a total of 5 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be to the international preliminary report on patentability (Chapter I) instead. 3. This report contains indications relating to the following items:					
In the attached sheets, any reference to the written opinion of the International Searching Authority should be to the international preliminary report on patentability (Chapter I) instead. 3. This report contains indications relating to the following items: Box No. I Basis of the report					
3. This report contains indications relating to the following items: Box No. I Basis of the report	This REPORT consists of a total of 5 sheets, including this cover sheet.				
Box No. I Basis of the report Box No. II Priority Box No. III Non-establishment of opinion with regard to novelty, inventive step and in applicability Box No. IV Lack of unity of invention Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive s applicability; citations and explanations supporting such statement Box No. VI Certain documents cited	In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.				
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	step or industrial				
Box No. VII Certain defects in the international application					
Box No. VIII Certain observations on the international application					
 The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3 not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 mondate (Rule 44bis .2). 	3(c) and 93bis.1 but on the priority				

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专利合作条约

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中国广州市先烈中路 69 号东山广场 918-920 室	国际检索单位书面意见				
广州华进联合专利商标有限公司	(PCT 细则 43 之二 .1)				
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ACUP040735CN	见下面第 2 段 /月/年)				
国际申请号 国际申请日(日/ PCT/CN2004/001174 15.10 月 200	04(15.10.2004) 17.10 月 2003(17.10.2003)				
国际专利分类(IPC)或国家分类和 IPC 两种分类					
国际专利分类(在C)实国际分类(在C)中C7 A	61B17/00				
申请人					
周星 等					
1.本意见包括关于下列各项的内容: □ I					
3. 详细信息请见 PCT/ISA/220 表格的说明					
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PCT/ISA/237 表(扉页)(2004 年 1 月)

国际检索单位书面意见

国际中请号

PCT/CN2004/001174

I. 意见的基础					
1、关于语言,除非在该项下另有说明,该书面意见在提交国际中					
□ 该书面意见是在原始语言的以下译文基础上制定的	j,该译文供国际检索之用(细则 12.3 和 				
23.1(b))。					
2、关于国际申请中所公开的核苷酸和/或氨基酸序列表和对所称发明的必	要性,该书面意见是在下列基础上制定				
· 的:					
a. 材料的类型					
□ 序列表					
□ 与序列表相关的表格	,				
b. 材料的形式					
□ 书面形式					
□ 计算机可读形式					
c. 提交/提供时间					
□ 包括于已提交的国际申请。					
□ 以计算机可读形式与国际申请一起提交。					
□ 为检索之用随后提交本国际检索单位。					
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•					
3、					
供了关于后提交的或附加的副本与已提交的国际申请中的序列	長相同或 示超出国际申请中序列农氾国				
(如适用)的声明。					
4. 补充意见					
	, .				
"					

国际检索单位书面意见

国际申请号	_
PCT/CN2004/001174	

٧.	按细则 43 之二. 1	关于新颖性、创造性或工业实用性的推断性意见,支持这种意见的引证和解释	
1.	意见		
	新颖性(N)	权利要求 1-14	_是
		权利要求	_
	创造性(IS)	权利要求 1-14	_是
		权利要求	_ 否
	工业实用性(IA)	权利要求 1-14	_是
		权利要求	_

2. 引证和解释

权利要求 1-14 满足 PCT 条约第 33 条第 (4) 款的规定。

在所有文献中,没有披露权利要求 1 的特征"标本袋的开放端的柔性壁是间断的锯齿形结构",因此,权利要求 1-14 满足 PCT 条约第 33 条第(2)、(3)款的规定。

国际检索单位书面意见

国际申请号

PCT/CN2004/001174

VIII. 对国际申请的某些意见

就权利要求、说明书和附图的清楚性或者就权利要求是否得到说明书的充分支持提出以下意见:

从属权利要求 10 使用了"等"这样导致权利要求保护范围不确定的词语。 从属权利要求 11、13 中的"内鞘"、"外鞘"在从属权利要求 11、13 所引用的权利要求 1 中没有限定过。

因此从属权利要求 10、11、13 不符合 PCT 条约第 6 条的规定。

PCT/ISA/237 表(第VIII栏)(2004 年 1 月)